

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHEVRON U.S.A. INC.,

No. C 05-03276 WHA

Plaintiff,

v.

**REQUEST FOR FURTHER
BRIEFING**

SSD & ASSOCIATES,

Defendant.

Please answer the following questions in ten pages or less by Thursday (noon) the 30th.
Cite to the trial record.

1. Does the trial record show the amount of unpaid income taxes, if any, for 2002-2004?

If so, give details.

2. Summarize accurately everything the trial witnesses said was said at the internal Chevron meeting leading up to notice. Separately summarize everything the witnesses refused to answer based on privilege.

3. Summarize accurately everything Chevron knew (and who within Chevron knew it) regarding the Surinder Dhillon involvement in the prior lawsuit. Also, what does the trial record show were the proven allegations therein?

4. Summarize accurately the prior history of attempted buy-outs by Chevron of the station, as shown by the trial record.

5. Summarize accurately the events and conversations during the audit on May 27, 2005, including any important points that went unsaid.

1 6. What was Mr. Norris title at Chevron? What was Mr. Cohen's first name (the
2 lawyer), and what was Mr. McDiarmid's first name?

3 7. Address the extent to which the records made available at the audit (such as the sales
4 tax returns) covered the same sales as the financials and income tax returns would have.

5 8. The notice of termination "must state the precise reason, as listed on the Act"
6 according to the Department of Energy summary (CHEV 506). Did the notice here comply,
7 given that it neglected to call out specifically any ground for termination "as listed in the Act"?

8 9. Does our record indicate when the FTB corporate suspension occurred?


9 10. Chevron asserts that at the time of the suspension, SSD owed the State of California
10 in excess of \$40,000 in back taxes. Was the \$40,000 attributable to 2002-04 years? Or, was it
11 attributable to earlier unpaid taxes for earlier years and work out agreements with the FTB?
12 Cite to the trial record.

13 11. Re Section 2802(c)(1) & (11), cite caselaw as to whether circumstances like ours
14 apply.

15 Please do the above in ten pages, no footnotes, by Thursday noon.

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18 **IT IS SO ORDERED.**

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20 Dated: August 29, 2006



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE